

REMARKS

The Examiner is thanked for the courtesies extended to the Applicant's attorney during their phone conference of Monday, 1 June 2009, and their second phone conference of 23 July 2009.

In the Official Action, the Examiner's rejections were confined to rejections under Section 112.

In particular, the Examiner's primary rejection sprung from the fact that she did not believe that there was a recitation in the specification of "a compound containing a hydrophobic group".

To overcome this objection, the Applicant has amended Claim 1 to remove the phrase "containing a hydrophobic" group.

With the removal of this phrase, the Applicant has also amended the claim to add the term "selected from a group... chloride" in the lower portion of sub-paragraph 3 of Claim 1, to ensure that rules relating to appropriate antecedent bases were followed and complied with in full.

It is believed that this amendment does not change the substantive scope of the claim, but rather does little more than correct indefiniteness issues as noted by the Examiner.

In this regard, the Applicant does note that the original specification does provide support for octadecyl isocyanate, hydroxysuccinimide, perfluoro-1-octanesulfonyl fluoride, palmitoyl chloride, and fatty acid chloride. These compounds now remain in the claim, as there is appropriate support for them.

Finally, the Examiner mentions that there is need of a comma between palmitoyl chloride and fatty acid chloride. The Applicant has so placed this comma there and placed an “and” between the two for appropriate grammatical purposes.

The Applicant submits that with these changes, all corrections necessary to place the Application in condition for allowance have been made.

The Applicant also notes that there were no substantive rejections either in Sections 102 or 103 that were lodged against the instant application.

In the conference, the examiner stated that she wanted to ensure that support in the specification existed for the language in the claim relating to “attaching a hydrophobic group of the compound selected from a group consisting of octadecyl isocyanate, hydroxysuccinimide, perfluoro-1-octanesulfonyl fluoride, palmitoyl chloride, and fatty acid chloride to the water soluble polymer”. Support for same is abundant in the application. In this regard, the Examiner’s attention is directed to p. 25, lines 19-24; p. 26, line 1 to P. 29, line 17, and p. 32, lines 14-20.

Conclusion

For the foregoing reasons, the Applicant submits that its claim patentably distinguishes his invention from the art of record. Re-examination and re-consideration culminating in allowance of the claim is respectfully requested.

It is respectfully requested that the Examiner so find the claim to be allowable, and issue a Notice of Allowance in due course.

Request for Appropriate Extension of Time

If necessary, Applicant requests that this Response be considered a Request for an Extension of Time for two (2) months, or whatever time perceived is appropriate for the response to be timely filed. Applicant requests that any required fees needed beyond those submitted with this Response be charged to the account of **E. Victor Indiano, Deposit Account Number 50-1590.**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'E. Victor Indiano', written over a horizontal line.

E. Victor Indiano, #30,143

cc Mr. Anthony J. Moravec
Mr. Ryan Moravec

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